

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
EASTERN DIVISION

SEAN M. CARTER,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:09-cv-0651-MEF
)	WO
DEPARTMENT OF CORRECTIONS,)	
)	
Defendant.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #6) to the Recommendation of the Magistrate Judge filed on July 27, 2009 is OVERRULED;
2. The Recommendation of the Magistrate Judge (Doc. #5) entered on July 16, 2009 is ADOPTED;
3. Plaintiff's complaint is DISMISSED with prejudice prior to service of process pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i)-(iii).

DONE this the 31st day of July, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE